UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:21-cv-00595-MR

JIMMY L. ROGERS,)
Plaintiff,)
vs. GASTON COUNTY DETENTION,))) (ORDER)
et al.,	<u>,</u>
Defendants.)) _)

THIS MATTER is before the Court sua sponte on review of the docket in this matter.

Pro se Plaintiff Jimmy L. Rogers ("Plaintiff") is a prisoner of the State of North Carolina currently incarcerated at Roanoke River Correctional Institution in Tillery, North Carolina. [Doc. 1]. On November 2, 2021, Plaintiff filed this action pursuant to 42 U.S.C. § 1983. Plaintiff failed to pay the filing fee or an application to proceed without prepayment of fees. The Clerk sent Plaintiff a Notice of Deficiency, directing him to either pay the filing fee or the required application to proceed without prepayment of fees, within 21 days of the Clerk's Notice or this action may be dismissed without prejudice. [Doc. 2]. As of this Order, Plaintiff has not complied with the Clerk's Order. The

Court will, therefore, dismiss this action without prejudice.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: December 7, 2021

Martin Reidinger

Chief United States District Judge